

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CHRIS GADDY, A.J. MCSWAIN AND
CHRIS RAYMOND

Plaintiffs

v.

BLITZ U.S.A., INC.

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§

CIVIL ACTION NO. 2:09CV052

JUDGE DAVID FOLSOM

ORDER ON PLAINTIFFS' UNOPPOSED MOTION FOR PARTIAL DISMISSAL

The Court having considered Plaintiffs' UNOPPOSED MOTION FOR PARTIAL DISMISSAL finds that such Motion is well taken and should be GRANTED.

Therefore, Plaintiffs' claims for Misrepresentation, Breach of Express and Implied Warranties, Failure to Warn and Marketing Defect are dismissed from Plaintiffs' Complaint.

SIGNED this 13th day of August, 2010.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE